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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/215,713	12/18/1998	MICHAEL WYNBLATT		1773

7590 04/22/2004

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
186 WOOD AVENUE SOUTH
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EXAMINER

HONG, STEPHEN S

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 04/22/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/215,713

Applicant(s)

WYNBLATT ET AL.

Examiner

Stephen S. Hong

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-32 is/are allowed.
- 6) ☐ Claim(s) 1-16 and 33-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is responsive to RCE and amendment filed on February 6, 2004.
2. Claims 1-39 are pending in this case. Claims 1, 10, 17 and 33 are independent claims.
3. The rejection of claims 1-16 and 33-35 under 35 U.S.C. 103(a) as being unpatentable over Richardson et al (5,809,247) has been withdrawn as necessitated by the amendment.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-16 and 33-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richardson et al (5,809,247) in view of Gupta et al., USPAT 6,484,156 B1, 11/02.

With respect to independent claims 1, 10, and 33, Richardson discloses a web tour director, programmed onto a web server, *for connecting a client system to one or more web sites in accordance with a web tour stop vector identifying the one or more*

web sites as tour stop(s) of a web guided tour (column 2, top). Richardson's system further includes a media rendering function also programmed onto the web server for rendering on the client system, one or more corresponding media for each of the one of more websites, for at least a portion of the time while a web site is connected to the client system. Thus, Richardson discloses "recording a given dynamic annotation on any of a plurality of hypermedia documents" (media rendering function), "distribution system" (the internet), "playing system for playing said dynamic annotations . . ." (client system). Here, it is noted that the client system is connected to the internet. As such, while Richardson does not explicitly teach "loading multiple ones . . . while maintaining synchronized playback of said annotation", since it was well known for multiple clients to access a web site at the same time, it would have been obvious to one of ordinary skill in the art at the time of the invention to "load multiple ones . . . while maintaining synchronized playback" because each client would have the *corresponding media* played synchronously according to the web page being visited by each client.

However, Richardson does not appear to explicitly disclose the feature of maintaining synchronized playback of the at least one annotation in ones of the hypermedia documents with the at least one annotation in others of the hypermedia documents (last two lines of claims 1, 10 and 33). In other words, Richardson does not appear to show that the annotations can be played synchronized way in multiple documents. However, the missing feature is shown by Gupta. Gupta teaches the prior art systems limitations for "retriev[ing] annotations based only on a per-media stream basis (col.2, line 14). Gupta discloses the invention that overcomes this limitation by

allowing multiple media stream to access the annotation “independently” yet to be synchronized (col.2, lines 15-47). Thus, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have incorporated Gupta’s feature into Richardson, since, Gupta explicitly provided the benefit by allowing different streaming document to access and replay the annotations (col.2, line 35).

Further regarding independent claim 10, “annotation server” is implicitly disclosed by Richardson as the *media rendering function . . . programmed onto the web server* for rendering the multimedia annotations that accompany the web tour (see figure 6, columns 2, 5, and 6).

Regarding dependent claims 2-9, 11-16, and 34-35, Richardson discloses “capturing” and “playing navigation events” as the media renderer (the events had to be “captured” in order to be able to be rendered). The events, recorded in conjunction with a hypermedia system (the internet) are “recorded on hypermedia” (e.g., claim 4), and “hyperlinks may be created and followed between said dynamic annotations” (implicitly taught because the annotations are recorded in conjunction with web pages. The hyperlinks are followed between the web pages, so indirectly, between the annotations).

As per dependent claims 36-39, Gupta further teaches that the annotations comprise a sequence of user events and media data, in the context of a particular hypermedia document, synchronized time stream (col.2, line “ provide ..’in-person’ interaction and ‘classroom discussion’...”; col.8, line 63, “The user enters the data representing the content using conventional and well known user interface techniques..”).

Allowable Subject Matter

5. Claims 17-32 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.

Response to Arguments

6. Applicant's arguments with respect to claims 1-16 and 33-39 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPAT 5,583,980 Dec. 10, 1996 Time-synchronized annotation method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen S. Hong whose telephone number is (703) 308-5465. The examiner can normally be reached on Monday to Friday, 9:00am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2178

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Stephen Hong
Primary Examiner
Art Unit 2178
April 19, 2004